

---

**Federal Communications Commission**

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Ondas de Vida Network, Inc.	)	File No. EB-FIELDWR-13-00011997
Licensee of Station K234BS	)	NOV No. V201432900008
	)	
Las Vegas, Nevada	)	Facility ID No.: 156220

**NOTICE OF VIOLATION**

**Released:** November 14, 2013

By the District Director, Los Angeles Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules)<sup>1</sup> to Ondas de Vida Network, Inc. (Ondas), licensee of the FM translator station K234BS in Las Vegas, Nevada. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violations noted herein.<sup>2</sup>

2. On September 11, 2013, agents of the Enforcement Bureau's Los Angeles Office inspected the FM translator station K234BS located in Las Vegas, Nevada, and observed the following violation:

- a. 47 C.F.R. § 74.1251 (b) (2): "Formal application on FCC Form 349 is required of all permittees and licensees for any of the following changes: ... a change in the transmitting antenna system, including the direction of radiation or directive antenna pattern..." At the time of inspection, agents observed the installed transmitting antenna system consisted of two five-element yagi antennas manufactured by *Samco* and that one of the directional antennas' was orientated in a non-authorized direction. Neither this manufacturer of transmitting antenna nor antenna orientation is authorized by the K234BS license or pending application for construction permit.

---

<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 C.F.R. § 1.89(a).

## Federal Communications Commission

---

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>3</sup> and Section 1.89 of the Rules, we seek additional information concerning the violation and any remedial actions taken. Therefore, Ondas must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain the violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct the violations and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.<sup>4</sup>

4. In accordance with Section 1.16 of the Rules, we direct Ondas to support his response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by him, verifying the truth and accuracy of the information therein,<sup>5</sup> and confirming that all of the information requested by this Notice which is in the registrant's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>6</sup>

5. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission  
Los Angeles Office  
18000 Studebaker Road, Suite 660  
Cerritos, CA 90703

6. This Notice shall be sent Ondas, at the address of record.

---

<sup>3</sup> 47 U.S.C. § 308(b).

<sup>4</sup> 47 C.F.R. § 1.89(c).

<sup>5</sup> Section 1.16 of the Rules provides that “[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person . . . . Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : ‘I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)’.” 47 C.F.R. § 1.16.

<sup>6</sup> 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

## **Federal Communications Commission**

---

7. The Privacy Act of 1974<sup>7</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance.

FEDERAL COMMUNICATIONS COMMISSION

Charles A. Cooper  
District Director  
Los Angeles Office  
Western Region  
Enforcement Bureau

---

<sup>7</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).